

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,	)	MEMORANDUM
	)	AND ORDER
Plaintiff,)	
)	
vs.)	
)	
ROSALINO LOPEZ-VEGA,	)	8:05CR316
BRIAN R. MOORE,	)	4:05CR3016-1
PHYLANDRIA D. WATFORD,	)	4:05CR3016-2
GARY OH WARD,	)	4:05CR3025-1
SOKHA KEO,	)	4:05CR3025-2
LILLIAN RUIZ,	)	4:05CR3025-4
OCTAVIO DELVILLAR,	)	4:05CR3060-1
FERNANDO NUNEZ,	)	4:05CR3060-2
)	
Defendants.)	

The calendar for the disposition of criminal cases remains crowded in both Omaha and Lincoln. Chief Judge Bataillon has secured the assistance of a visiting judge to try criminal cases during the week of November 7, 2005. Chief Judge Bataillon has also secured the agreement of other Nebraska judges to try the overload of cases that otherwise would not be tried that week.

With the foregoing in mind, all parties to the criminal cases on my docket for trial on Monday, November 7, 2005, must affirmatively notify my chambers of the final trial status of their case on or before Monday, October 31, 2005, at 3:00 P.M. Cases in which notice of settlement have not been given by this deadline may be reassigned to another judge. Should a case be reassigned to a judge from Omaha or the visiting judge, counsel and the defendant may be required to travel to Omaha to try their case.

After October 31, 2005, it is likely that the court will decline to accept a plea of guilty. Because of the late notice, if the court decides to accept a plea of guilty after

this date, it is likely that the court will penalize the defendant by deducting acceptance of responsibility points. If a jury is summoned, and in the unlikely event the court decides to accept a guilty plea at that time, it is likely that jury costs will be taxed to the defendant.

IT IS ORDERED that the lawyers in each of these cases shall affirmatively notify my chambers of the final trial status of their case on or before Monday, October 31, 2005, at 3:00 P.M.

September 26, 2005.

BY THE COURT:

s/ Richard G. Kopf
United States District Judge